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UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
Silver Spring, Maryland 20910  
OFFICE OF NOAA CORPS OPERATIONS

MAR 18 1999

MEMORANDUM FOR: Susan A. Kennedy  
Chief, Environmental Compliance  
and Safety Staff  
*Bob J. Taylor (for)*  
FROM: Rear Admiral John C. Albright, NOAA  
Acting Director, Office of NOAA Corps Operations  
SUBJECT: Designation of Responsible Officials  
Under NAO 216-17

Per the memorandum from Paul Roberts, same subject, below is a list of Designated Responsible Officials (DRO) at Office of NOAA Corps Operations' facilities and aboard NOAA ships.

| <u>DRO</u>                                | <u>Facility Name</u>       | <u>Location</u> |
|---|----------------------------|-----------------|
| Director, Marine Center Operations        | Pacific Marine Center      | Seattle, WA     |
| Deputy Director, Marine Center Operations | Atlantic Marine Center     | Norfolk, VA     |
| Director, Aircraft Operations Center      | Aircraft Operations Center | Tampa, FL       |
| Commanding Officers/Master                | NOAA Ships                 | various         |

Please contact Bill Cunningham, 301-713-3435x183, should you have any questions or need clarification regarding the positions within ONCO that have been designated as responsible officials under NAO 216-17.

cc:  
Deputy Director, AMC  
Deputy Director, PMC  
Director, AOC  
CO/Master, all NOAA Ships



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UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
CHIEF FINANCIAL OFFICER/CHIEF ADMINISTRATIVE OFFICER

JAN 4 1999

MEMORANDUM FOR: Assistant Administrators  
FROM: Paul F. Roberts *Paul F. Roberts*  
SUBJECT: Designation of Responsible Officials  
under NAO 216-17

Under Section 3.02(d) of NAO 217-17 (NOAA Environmental Compliance Program), dated September 29, 1998, every staffed NOAA facility must have a "Designated Responsible Official" (DRO). As further described by the NAO, the DRO position is automatically filled by "...the senior NOAA official on-site..." which official "...has authority over operations or activities which are subject to environmental statutes."

The job of the DRO is to ensure day-to-day compliance with all environmental laws, regulations, and requirements imposed on their facility and their facility staff's activities. Specific responsibilities enunciated in the NAO are:

1. Ensuring that facility operations and activities are conducted in compliance with environmental requirements;
2. Ensuring that on-site personnel are aware of environmental requirements and are properly trained; and
3. Elevating environmental compliance issues to Line Office senior management with recommendations for resolution as necessary to ensure compliance.

DRO's are also points of contact for Environmental Compliance and Safety Staff (ECS) personnel in the event of a spill or incident at their facility requiring action, response, or reporting.

NOAA's ECS personnel are available to assist DROs' understand the environmental requirements at their respective facilities. Each NOAA Line Office has an environmental compliance coordinator, and some Line Offices have implemented a regional structure. These individuals are all able to provide technical assistance to a DRO on request.

Based on the diverse nature and organization of NOAA's programs, a singular definition of "facility" is extremely difficult. However, if you are the senior official of, or are otherwise the person ultimately in charge of, a NOAA building, field site, staff quarters or residence, office, laboratory, vessel, station, outpost, warehouse or any other type of facility, and you have the authority to direct the use, operation, or activities of that

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NOAA unit and/or its personnel, you are a DRO for that facility and will be held accountable for that facility or vessel's compliance with environmental laws and regulations.

In the event that you are a DRO as described above, you should familiarize yourself with NAO-216-17 and your responsibilities. NOAA's ECS Staff and the Office of the General Counsel can be of assistance both in the determination of your status and in ensuring that you meet your responsibilities. A DRO training course is also being developed and will be offered in the near future.

Each Line Office (including the Office of NOAA Corps Operations) is to provide a list of DROs for those facilities operated by the Line Office not later than February 1, 1999. These lists shall be directed to Susan A. Kennedy, Chief, Environmental Compliance and Safety Staff, OFAx3, 1305 East-West Highway, SSMC-4, Station 8431, Silver Spring, Maryland, 20910.



| **UNITED STATES DEPARTMENT OF COMMERCE**  
| National Oceanic and Atmospheric Administration  
| CHIEF FINANCIAL OFFICER/CHIEF ADMINISTRATIVE OFFICER  
| OCT 4 2000

MEMORANDUM FOR: Assistant Administrators

FROM: Stewart S. Remer *signed*  
Deputy Chief Administrative Officer

SUBJECT: Declaration of NOAA's Designated Responsible Officials under  
NAO 216-17 and EO 12196

Success of the NOAA Environmental and Safety Programs requires formal assignment of a senior NOAA official at each NOAA site, facility, or vessel who will be responsible and accountable for the daily Environmental and Safety Program.

The NOAA official declaration reflecting the duties, responsibilities, accountabilities, recommended performance standards, and reporting chain of the Designated Responsible Officials (DROs) is attached. Also attached is a list of the DROs for the various NOAA sites, facilities, and vessels who have been assigned by each NOAA Line Office based on the individual's management seniority status.

If there are any questions, please contact Mr. Bernie Denno, Chief, NOAA Environmental Compliance and Safety Division at (301) 713-2870, Ext. 101.

Attachments

cc:  
NOAA M&B Chiefs  
NOAA FLD Chiefs



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DECLARATION OF NOAA'S DESIGNATED RESPONSIBLE  
OFFICIALS UNDER NAO 216-17 AND EO 12196

A. Each Designated Responsible Officer (DRO) has responsibilities outlined in Section 3.02(d) of NAO 216-17 (NOAA Environmental Compliance Program), dated September 29, 1998, and the Executive Order (EO) 12196 (Occupational Safety and Health Program for Federal Employees), dated February 26, 1980, in the areas of environmental and occupational safety/health compliance.

1. Environmental. Section 3.02(d) of NAO 216-17, states that: every staffed NOAA facility must have a "Designated Responsible Official" (DRO). As further described by the NAO, the DRO position is automatically filled by " ... the senior NOAA official on-site ... " which official " ... has authority over operations or activities which are subject to environmental statutes."

2. Safety and Health. EO 12196 and Title 29 Code of Federal Regulation (CFR), Part 1960.9 (Basic Program Elements for Federal Employee OSH Programs and Related Matters), state that: "Employees who exercise supervisory functions shall, to the extent of their authority, furnish employees' employment and place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm."

B. The general duty of the DRO is to ensure day-to-day compliance with all environmental and occupational safety/health laws, regulations, and requirements imposed on their facility and their facility staff's activities. Specific duties and responsibilities identified in the NAO and EO are:

1. Ensuring that facility operations and activities are conducted in compliance with environmental and occupational safety/health requirements;

2. Ensure that all areas and operations of each workplace, including office operations, under the DRO jurisdiction, are locally inspected (i.e., assessed, surveyed, audit, etc.) at least annually;

3. Ensuring that all environmental and occupational safety/health assessment or survey findings are corrected within the recommended abatement period;

4. Ensuring that on-site personnel are aware of environmental and occupational safety/health requirements and are properly trained, and equipped; and,

5. Elevating environmental and/or occupational safety/health compliance issues to senior management with recommendations for resolution as necessary to ensure compliance.

DECLARATION OF NOAA'S DESIGNATED RESPONSIBLE  
OFFICIALS UNDER NAO 216-17 AND EO 12196

C. DRO's are the principal points of contact for the Regional Environmental Compliance Officers (RECOs) and Regional Safety Managers (RSMs) in the event of a major spill, incident or an accident resulting in multiple injuries or death of personnel at their facility requiring action, response, or reporting. Important functional information and program components are as follows:

1. The RECOs and RSMs are available to assist the DROs' in understanding the environmental and occupational safety/health requirements applicable at their respective facilities. Each NOAA Line Office has an environmental and occupational safety/health compliance coordinator, and some Line Offices have implemented a regional structure. These individuals are also able to provide technical assistance to a DRO on request.

2. Based on the diverse nature and organization of NOAA's programs, a singular definition of "facility" is extremely difficult. However, if you are the senior official of, or is otherwise the person ultimately in charge of, an NOAA building, field site, staff quarters or residence, office, laboratory, vessel, station, outpost, warehouse or any other type of facility, and you have the authority to direct the use, operation, or activities of that NOAA unit and/or its personnel, you are a DRO for that facility and are accountable for that facility or vessel's compliance with environmental and occupational safety/health laws and regulations.

3. In the event that you are a DRO as described above, you should familiarize yourself with NAO-216-17, EO 12196 and 29 CFR 1960 and your general and specific duties and responsibilities in each area. Your servicing RECO, RSM, and the Office of the General Counsel can be of assistance both in the determination of your status and in ensuring that you meet your responsibilities.

4. Each DRO must complete, or have completed, a formal training course that has been developed by the NOAA Environmental Compliance and Safety (ECS) Training Team within one year of the receipt of this declaration memorandum, with documentation of such training forwarded to the specific Line Office. The serving RECO or RSM is available to answer questions concerning the required DRO training.

5. At facilities or sites with more than one DRO, which share a common boundary and/or security arrangement, the highest ranking - senior NOAA official of the common area will establish and chair a formal local DRO committee. The local DRO committee will consist of the DRO's assigned to each facility, site or complex, within the common area. The highest ranking senior NOAA DRO will chair, coordinate and lead on environmental and occupational safety/health programs, or projects common to the area through the actions of the local DRO committee.

D. The NOAA ECS Division as well as the RECOs and RSMs are available to assist the DRO in any area of environmental and occupational safety/health compliance. The NOAA Environmental Compliance and Safety Division chief is Mr. Bernie Denno, telephone: 301-713-2870, fax: 301-713-0426, web-site: <http://www.ecs.noaa.gov>, address: 1305 East-West Highway, SSMC-4, OFA-74, Station 11109, Silver Spring, Maryland, 20910.

DECLARATION OF NOAA'S DESIGNATED RESPONSIBLE  
OFFICIALS UNDER NAO 216-17 AND EO 12196

DESIGNATED RESPONSIBLE OFFICIALS,  
RECOMMENDED, CRITICAL PERFORMANCE STANDARDS

1. Environmental, Safety and Health Compliance. Ensure that all facility or site operations and activities, under the DRO jurisdiction, are conducted on a daily basis in compliance with environmental and occupational safety/health requirements by assuring on-site personnel are aware of and comply with environmental and occupational safety/health requirements and are properly trained, and equipped. To assist the DRO in meeting the environmental and occupational safety/health compliance objectives, the DRO will utilize the services of the Regional Environmental Compliance Officers (RECO), Regional Safety Manager (RSM), and line office personnel, to coordinate, plan, inspect, and implement environmental and safety initiatives and projects for the DRO.

2. Environmental, Safety and Health Assessments. Ensure that all areas and operations of each workplace, including office operations, under the DRO jurisdiction, are locally inspected (i.e., assessed, surveyed, audit, etc.) at least annually. More frequent local inspections will be conducted in all workplaces where there is an increased risk of an environmental degradations, and/or personnel accident, injury, or illness due to the nature of the work performed. Under the DRO' jurisdiction, the DRO will provide assistance in conducting external, NOAA directed, environmental and safety surveys and /or assessments of facilities, and sites, as part of the NOAA Environmental Compliance and Safety Assessment Program.

3. Environmental, Safety and Health Remediation. Ensure that all externals and locally environmental and occupational safety/health assessment or survey findings, under the DRO jurisdiction, are corrected within the recommended abatement period; elevate environmental and/or occupational safety/health compliance issues to senior management with recommendations for resolution as necessary to ensure compliance. With the assistance from the RECO, RSM, and line office personnel, prepare project documents and cost estimates in support of the corrective action from local and externally derived environmental and occupational safety/health surveys or assessments. The DRO will report annually to senior management on all completed and unresolved corrective actions derived from local and external environmental, safety/health surveys and assessment findings and the status of ongoing environmental and safety projects.

### History of the Designated Responsible Officer (DRO):

1. Executive Order 12088. FEDERAL COMPLIANCE WITH POLLUTION CONTROL STANDARDS (Ex. Ord. No. 12088, Oct. 13, 1978, 43 F.R. 47707, as amended by Ex. Ord. No. 12580, Jan. 23, 1987, 52 F.R. 2928), requires the head of each Executive agency to take action regarding the prevention, control, and abatement of environmental pollution. These problems continue to affect the Department of Commerce (the "Department") facilities and operations and, in some areas, have grown more severe. Accordingly, this Order focuses management responsibility at the Department level by prescribing the policies, procedures, and responsibilities for a Department-level compliance program for Executive Order 12088, and associated statutes and regulations.

2. Occupational Safety and Health Administration (OSHA) Regulations [(Standards - 29 CFR, SubPart Number: B, SubPart Title: Administration, AUTHORITY: Sections 19 and 24 of the Occupational Safety and Health Act of 1970 (84 Stat. 1609, 1614; 29 U.S.C. 668, 673); 5 U.S.C. 553, Secretary of Labor's Order No. 1-90 (55 FR 9033), and Executive Order 12196. SOURCE: 45 FR 69798, Oct. 21, 1980, unless otherwise noted. [60 FR 18993, April 14, 1995; 60 FR 34851, July 5, 1995]] Supervisory responsibilities. - 1960.9. Employees who exercise supervisory functions shall, to the extent of their authority, furnish employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm. They shall also comply with the occupational safety and health standards applicable to their agency and with all rules, regulations and orders issued by the head of the agency with respect to the agency occupational safety and health program.

3. The Seattle Incident, 1995. The State of Washington's Department of Ecology levied a fine of \$120,000 on NOAA citing failure to properly prepare dangerous waste for transportation, illegal transportation of dangerous waste, illegal storage of dangerous waste, and failure to manage waste containers. NOAA was further directed to develop personnel training plans, develop and implement laboratory and dangerous waste minimization systems at NOAA facilities (in Washington State), and develop facility management decision-making processes. The incident brought unfavorable attention on NOAA, at a very difficult budgetary planning time, and was particularly embarrassing given NOAA role in protecting and preserving the environment.

4. NAO 216-17, NOAA Environmental Compliance Program. This Order establishes the National Oceanic and Atmospheric Administration (NOAA) program for continued compliance with Department Administrative Order (DAO) 216-17, Compliance with Environmental Pollution Standards; Executive Order (E.O.) 12088, Federal Compliance with Pollution Control Standards; and Federal, state, and local statutes and environmental regulations. NOAA's Environmental Compliance program has been developed to ensure that NOAA facilities and activities are in compliance with all applicable Federal, state, and local environmental requirements. This is the original NOAA document that established the DRO within NOAA.

5. MINUTES, # 2000-4, NOAA ENVIRONMENTAL COMPLIANCE AND SAFETY COMMITTEE MEETING, APRIL 4, 2000: The ESC Committee requested that the ECS Division send out a letter to the Designated Responsible Officers (DROs) outlining the responsibilities and accountabilities of the DRO. The historical document asking for DRO candidates (NAO 216-17) did not include any occupational safety and health responsibilities for the DRO. The ECSD office rewrote the responsibilities of the DRO including occupational safety and health, and outline in the official document designating the DRO the condition of authority/accountabilities at sites with multiple NOAA occupants and line reporting.